

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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P#15

Attorney Docket No.: DEX-0203

Inventors: Chen et al.

Serial No.: 09/820,425

Filing Date: March 29, 2001

Examiner: Natalie A. Davis

Group Art Unit: 1642

Title: Compositions and Methods of Diagnosing,
Monitoring, Staging, Imaging and
Treating Lung Cancer

I, Kathleen A. Tyrrell, Registration No. 38,350, certify that this correspondence is being depositing with the U.S. Postal Service as First Class mail in an envelope addressed to U.S. Patent and Trademark Office, Box 2327, Arlington, VA 22202.

On this date: November 19, 2002


Kathleen A. Tyrrell, Registration No. 38,350

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

() In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified

application, within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, no additional fee is required.

(XX) In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, therefore:

(XX) Certification in Accordance with §1.97(e) is attached hereto; or

() The fee of \$180.00 as set forth in §1.17(p) is attached.

() In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); Petition Requesting Consideration of the Information Disclosure Statement; and the fee of \$130.00 as set forth in §1.17(i) (1).

(XX) Copies of each of the references listed on the attached Form PTO-1449 (modified) are enclosed herewith.

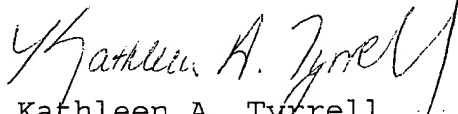
() In accordance with §1.98(d), copies of some or all of the references listed on the attached Form PTO-1449 (modified) are not enclosed herewith because they were previously submitted to the U.S. Patent and Trademark Office in prior application Serial No. _____, filed _____, for which a claim for priority under 35 U.S.C. §120 has been made in the instant application.

Please charge any deficiency or credit any overpayment to Deposit Account No. 50-1619. This form is submitted in duplicate.

() The relevance of the listed references in a foreign language is as stated in the specification at pages @@.

(XX) All listed references are in the English language.

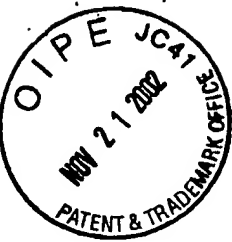
Respectfully submitted,


Kathleen A. Tyrrell
Registration No. 38,350

Date: November 19, 2002

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Sir:

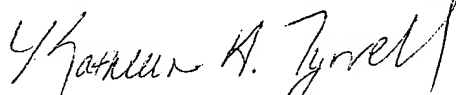
CERTIFICATION UNDER 37 C.F.R. §1.97(e)

In accordance with 37 C.F.R. §1.97(e), certification is hereby made that:

(XX) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

(XX) No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in connection with a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement.

Respectfully submitted,

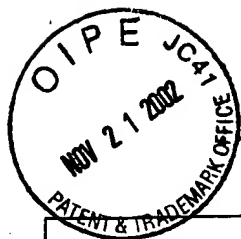
A handwritten signature in dark ink, appearing to read "Kathleen A. Tyrrell", written over the printed name.

Kathleen A. Tyrrell
Registration No. 38,350

Date: November 19, 2002

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Sheet 01 of 02

Form PTO-1449 Modified		Docket No. DEX-0203	Serial No. 09/820,425
List of Patents and Publications Cited by Applicant (Use several sheets if necessary)		Applicant Chen et al.	
		Filing Date March 29, 2001	Group 1642
U.S. Department of Commerce			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
	BA	Fitzpatrick M., "Japanese Develop Early Test for Lung Cancer Metastases", JAMA Medical News & Perspectives April 19, 2000	
	BB	Hibi et al., "Serial Analysis of Gene Expression in Non-Small Cell Lung Cancer ¹ ", Cancer Research 1998 58(24):5690-5694	
	BC	Petersen et al., "Gene Expression Profiling of Advanced Lung Cancer", Int. J. Cancer 2000 86:512-517	
EXAMINER		DATE CONSIDERED	



Form PTO-1449 Modified List of Patents and Publications Cited by Applicant (Use several sheets if necessary) U.S. Department of Commerce	Docket No. DEX-0203	Serial No. 09/820,425
	Applicant Chen et al.	
	Filing Date March 29, 2001	Group 1642

U. S. PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Name	Class	Subclass

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Country	Translation YES NO	
	CA	WO 99/50278	7-10-99	PCT	x	
	CB	WO 99/60160	25-11-99	PCT	x	
	CC	WO 00/12758	9-3-00	PCT	x	

EXAMINER**DATE CONSIDERED**